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Counsel for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SU CHANG MUN; KELLY BERNIER-MUN, a/k/a KELLY LYNN MUN; VASILY LITVINCHUK; NATALIYA LITVINCHUK; YURIY ROMANYU; CITY OF SACRAMENTO; COUNTY OF SACRAMENTO DEPARTMENT OF CHILD SUPPORT SERVICES.

Defendants.

Case No. 2:25-cv-01406-DJC-AC

**STIPULATION AND ORDER
REGARDING DISCLAIMER OF
INTEREST AND DISMISSAL OF
COUNTY OF SACRAMENTO
DEPARTMENT OF CHILD SUPPORT
SERVICES**

The United States and the County of Sacramento Department of Child Support

Services respectfully move the Court to dismiss the County of Sacramento Department of Child Support Services from this case pursuant to Federal Rule of Civil Procedure 41(a)(2). In support of their motion, the parties aver as follows:

1. Pursuant to 26 U.S.C. §§ 7401 and 7403, Plaintiff United States of America filed this action on May 19, 2025, to enforce its federal tax liens on real property commonly known as 1623 Kathleen Avenue, Sacramento, CA 95815 (the “Kathleen Avenue Property”).

1 2. The Kathleen Avenue Property is located in the County of Sacramento.

2 Following is a legal description of the Kathleen Avenue Property:

3 **PARCEL NO. 1:**

4 **THE EAST 52 FEET OF THE WEST 102 FEET OF THE EAST 167.6 FEET OF THE SOUTH 150 FEET
5 OF LOT 1 IN BLOCK 46 AS SHOWN ON THE "PLAT OF NORTH SACRAMENTO SUBDIVISION
6 NO. 8", RECORDED IN BOOK 13 OF MAPS, MAP NO. 49, RECORDS OF SAID COUNTY.**

7 **PARCEL NO. 2:**

8 **AN EASEMENT FOR SEWER PURPOSES OVER, ACROSS AND UNDER THE EAST 4 FEET OF THE
9 SOUTH 100 FEET OF THE WEST 50 FEET OF THE EAST 167.6 FEET OF LOT 1 IN BLOCK 46 AS
10 SHOWN ON THE "PLAT OF NORTH SACRAMENTO SUBDIVISION NO. 8", RECORDED IN BOOK
11 13 OF MAPS, MAP NO. 49, RECORDS OF SAID COUNTY.**

12 3. The United States filed an amended complaint pursuant to Rule 15(a)(1)
13 on May 17, 2025 to add the County of Sacramento Department of Child Support
14 Services as a defendant in this action. ECF No. 12.

15 4. The United States named the County of Sacramento Department of Child
16 Support Services as a defendant in this action, pursuant to 26 U.S.C. § 7403(b),
17 because it may claim an interest in the Kathleen Avenue Property.

18 5. The United States served the County of Sacramento Department of Child
19 Support Services with a copy of the amended complaint and summons on June 25,
20 2025. ECF No. 17.

21 6. The County of Sacramento Department of Child Support Services
22 disclaims any interest in the Kathleen Avenue Property, including, but not limited to,
23 interests connected to the liens recorded in the County of Sacramento Recorder's Office
24 which are attached as Exhibit A.

25 7. The County of Sacramento Department of Child Support Services and the
26 United States stipulate and agree that the County of Sacramento Department of Child
27 Support Services should not share in the proceeds of any foreclosure sale ordered by
28 the Court in this action and should be dismissed from this action.

2 8. The United States and the County of Sacramento Department of Child
3 Support Services agree that each party shall bear their own costs, including attorney's
4 fees.

The parties therefore respectfully request that the Court dismiss the County of Sacramento Department of Child Support Services from this action pursuant to Rule 41(a)(2).

Respectfully submitted,

Dated: August 12, 2025

/s/ Connor J. Pestovich
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/s/ Brian Racine
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*Attorney for the Sacramento County
Department of Child Support Services*

IT IS SO ORDERED.

Dated this 15th day of August, 2025.

/s/ Daniel J. Calabretta

**THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE**